

Office of Personnel Management

§ 919.75

Subpart I—Definitions

919.900	Adequate evidence.
919.905	Affiliate.
919.910	Agency.
919.915	Agent or representative.
919.920	Civil judgment.
919.925	Conviction.
919.930	Debarment.
919.935	Debarring official.
919.940	Disqualified.
919.945	Excluded or exclusion.
919.950	Excluded Parties List System.
919.955	Indictment.
919.960	Ineligible or ineligibility.
919.965	Legal proceedings.
919.970	Nonprocurement transaction.
919.975	Notice.
919.980	Participant.
919.985	Person.
919.990	Preponderance of the evidence.
919.995	Principal.
919.1000	Respondent.
919.1005	State.
919.1010	Suspending official.
919.1015	Suspension.
919.1020	Voluntary exclusion or voluntarily excluded.

Subpart J [Reserved]

APPENDIX TO PART 919—COVERED TRANSACTIONS

AUTHORITY: Sec. 2455, Pub. L. 103-355, 108 Stat. 3327; E.O. 12549, 3 CFR, 1986 Comp., p.189; E.O. 12689, 3 CFR, 1989 Comp., p.235.

SOURCE: 68 FR 66544, 66561, Nov. 26, 2003, unless otherwise noted. Redesignated at 68 FR 74161, Dec. 23, 2003.

§ 919.25 How is this part organized?

(a) This part is subdivided into ten subparts. Each subpart contains information related to a broad topic or specific audience with special responsibilities, as shown in the following table:

In subpart . . .	You will find provisions related to . . .
A	general information about this rule.
B	the types of OPM transactions that are covered by the Governmentwide nonprocurement suspension and debarment system.
C	the responsibilities of persons who participate in covered transactions.
D	the responsibilities of OPM officials who are authorized to enter into covered transactions.
E	the responsibilities of Federal agencies for the <i>Excluded Parties List System</i> (Disseminated by the General Services Administration).
F	the general principles governing suspension, debarment, voluntary exclusion and settlement.
G	suspension actions.
H	debarment actions.
I	definitions of terms used in this part.
J	[Reserved]

(b) The following table shows which subparts may be of special interest to you, depending on who you are:

If you are . . .	See subpart(s) . . .
(1) a participant or principal in a non-procurement transaction.	A, B, C, and I.
(2) a respondent in a suspension action	A, B, F, G and I.
(3) a respondent in a debarment action	A, B, F, H and I.
(4) a suspending official	A, B, D, E, F, G and I.
(5) a debarring official	A, B, D, E, F, H and I.
(6) a(n) OPM official authorized to enter into a covered transaction.	A, B, D, E and I.
(7) Reserved	J.

§ 919.50 How is this part written?

(a) This part uses a “plain language” format to make it easier for the general public and business community to use. The section headings and text, often in the form of questions and answers, must be read together.

(b) Pronouns used within this part, such as “I” and “you,” change from subpart to subpart depending on the audience being addressed. The pronoun “we” always is the OPM.

(c) The “Covered Transactions” diagram in the appendix to this part shows the levels or “tiers” at which the OPM enforces an exclusion under this part.

§ 919.75 Do terms in this part have special meanings?

This part uses terms throughout the text that have special meaning. Those terms are defined in Subpart I of this part. For example, three important terms are—

(a) *Exclusion or excluded*, which refers only to discretionary actions taken by a suspending or debarring official under this part or the Federal Acquisition Regulation (48 CFR part 9, subpart 9.4);

(b) *Disqualification or disqualified*, which refers to prohibitions under specific statutes, executive orders (other than Executive Order 12549 and Executive Order 12689), or other authorities. Disqualifications frequently are not subject to the discretion of an agency official, may have a different scope than exclusions, or have special conditions that apply to the disqualification; and